

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PROGME CORPORATION,

Plaintiff,

vs.

COMCAST CABLE  
COMMUNICATIONS, LLC, et al.,

Defendant.

Case No. 2:15-cv-13935-SJM-MJH

District Judge Stephen J. Murphy, III

Magistrate Judge Michael J.  
Hluchaniuk

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**DECLARATION OF JOHN MCCANN IN SUPPORT OF COMCAST  
CABLE COMMUNICATIONS, LLC'S MOTION TO TRANSFER  
PURSUANT TO 28 U.S.C. § 1404(A)**

I, John McCann, declare as follows:

1. I have been an employee of Comcast Cable Communications, LLC (“Comcast”) since 2011. I am currently the Executive Director for Product Engineering at Comcast Cable. I make this declaration in support of Defendant Comcast in the above-captioned lawsuit.

2. Unless otherwise stated, the facts I set forth in this declaration are based on my personal knowledge or knowledge I obtained through my review of corporate records or other investigation. If called as a witness, I could and would testify competently to such facts under oath.

3. Prior to December 2014, I was Senior Director of Applications Engineering at Comcast Cable. In this role, I was involved in the architectural planning and implementation of the Comcast Message Bus (CMB) in Comcast’s cable services. A significant amount of the work in designing, producing, and implementing the CMB occurred in Comcast’s Philadelphia, PA, office.

4. To the best of my knowledge, no work at all related to the CMB was performed in Michigan. None of the Comcast employees who worked on the design, production, and implementation of the CMB were, or are currently, located in Michigan. Certain Comcast employees knowledgeable about the design, production, and implementation of the CMB are located in Philadelphia, PA.

5. For example, I understand I may be called as a witness at trial because I may have knowledge and information related to the CMB. In particular, as Senior Director of Applications Engineering, I have knowledge about the architectural planning and implementation of the CMB. I work in Comcast's Philadelphia, PA, offices.

6. Slade Mitchell is the Vice President for Solutions Architecture for Comcast. Among other things, Mr. Mitchell was responsible for designing and implementing the CMB in the Comcast Cable DVR subsystem. Mr. Mitchell also works in Comcast's Philadelphia, PA, office.

7. Kenneth Failbus is a Development Operations and Build Release Engineer for Comcast. Among other things, Mr. Failbus was responsible for managing and controlling the release of the CMB. Mr. Failbus is located in Comcast's Philadelphia, PA, office.


8. Gulrukh Ahanger is the Vice President of Product Development at Comcast. Among other things, Ms. Ahanger was responsible for implementing the DVR Scheduler that utilized the CMB software. Ms. Ahanger is located in Comcast's Philadelphia, PA, office.

9. Documents and files related to the design, production, deployment and implementation of the CMB are maintained electronically in a server that is accessible in Comcast's offices in Philadelphia, PA.

10. I understand I may be called as a witness at trial because I may have knowledge and information related to products and features at issue in the litigation. I work and live in the Philadelphia, PA, area. I believe if this matter were tried in Philadelphia, the disruption to my daily management duties would be relatively minor and limited because I could travel to the courthouse in Philadelphia in less than 20 minutes. However, if I were required to travel to Michigan for trial, my daily management duties would be greatly impacted because I would be forced to take off days of work to travel to and from Michigan, and attend trial.

Executed this 17 day of March 2016 in Philadelphia, Pennsylvania.

I declare the foregoing under penalty of perjury under the laws of the United States of America.



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John McCann